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TAGS: [PREL](#) [PTER](#) [IR](#) [UK](#)  
SUBJECT: IRAN: UPDATE ON UK'S APPEAL OF MEK DE-LISTING  
ORDER: NEXT COURT ACTIONS SET FOR MID-FEBRUARY

REF: 07 LONDON 4465

Classified By: Political Minister Counselor Maura Connelly for reasons  
1.4 (b) and (d)

¶1. (C) Summary. The FCO told London Iran Watcher (Poloff) the UK's Court of Appeals will decide in mid-February whether to hear HMG's appeal of a 2007 order to de-list the Mujaheddin-e-Khalk (MEK) and, if it hears the case, will also decide the merits of the appeal. Even if HMG loses this stage of its appeal, a further appeal to the House of Lords is possible, as is a referral back to Parliament for a legislators' vote on whether to de-list the MEK under UK law and unfreeze its assets in the UK. HMG will in any case not de-list the organization or unfreeze its assets until all avenues of action and appeal have been exhausted. End summary.

¶2. (C) The FCO told Poloff the UK's Court of Appeals has allotted the dates February 18-20 to decide whether to hear HMG's appeal of a 2007 administrative order to unfreeze the MEK's UK assets. The FCO described HMG's appeal as having becoming increasingly complicated, and as therefore unlikely to result any time soon in the MEK's de-listing under UK law or in the unfreezing of its UK assets, despite the imminence of the Court of Appeals action.

¶3. (C) If the Court of Appeals grants "leave to appeal," it would immediately hear oral arguments and consider HMG and respondent (MEK)'s reportedly lengthy briefs during the three days allotted, with a final decision on the merits to follow shortly thereafter, according to FCO Iran Coordination Group officer Helen Teasdale. The parties' briefs are not as yet matters of public record, and HMG is uncertain when the briefs may be shareable with interested observers.

¶4. (C) Teasdale said that, in the event of a ruling in favor of the MEK either on procedural or substantive grounds, the length and legal complexity of the MEK's initial petition may well provide grounds for further appeal by HMG to the House of Lords. Additionally, as the MEK's original (2001, according to Teasdale) listing had been the subject of legislative votes by the Commons and the Lords, any reversal of that decision might also require a second vote by both Houses of Parliament, a sequence of events, according to Teasdale, likely to be lengthy and controversial.

¶5. (C) Until all possible appeals are exhausted, and as HMG previously advised Embassy (ref), the UK will continue to list the MEK as a terrorist organization under UK law, and keep its UK accounts frozen, despite the November 2007 order issued by the UK's Prohibited Organizations Commission (POAC).

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